



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,161	04/04/2005	Ramin Mirbaha	034289-002	6694

21839 7590 05/18/2007
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

NGUYEN, SIMON

ART UNIT	PAPER NUMBER
----------	--------------

2618

MAIL DATE	DELIVERY MODE
-----------	---------------

05/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,161

Applicant(s)

MIRBAHA ET AL.

Examiner

SIMON D. NGUYEN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-6, 8-11, 14-15, 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Forslow (2003/0039237).

Regarding claim 1, Forslow discloses a method for the transmission of information by means of GPRS in an IP network, in particular a wireless LAN, having a preferably mobile terminal which is connected to the IP network so that IP packets can be exchanged, with an IP serving GPRS support node in the IP network (figs.2-3, paragraphs 7-8, 12, 67), wherein, during initialization of the connection between the terminal and the IP serving GPRS support node, a tunnel which tunnels GPRS information is established on the basis of IP packets, wherein the information is transmitted through the tunnel, wherein the IP serving GPRS support node is connected via a network to further serving GPRS support nodes and, depending on the direction of communication in order to send the information to the further serving GPRS support nodes, or packs the information in order to send it through the tunnel to the terminal

(paragraph 13, 16, 75-77, figs. 2-3, 6, 9, 12-13). It should be noted that a packet information to send or receive inherently pack, repack, or unpack.

Regarding claim 8, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 14, this claim is rejected for the same reason as set forth in claim 1.

Regarding claims 20-21, this claim is rejected for the same reason as set forth in claim 1, wherein a software for a terminal to exchange the information to a GPRS via the tunnel is inherently in the system of Forslow.

Regarding claim 2, Forslow discloses the mobile station transmits/receives the packet information in a GPRS, which means the mobile station inherently includes a program for unpacking the packet information.

Regarding claims 3, 18, Forslow further discloses authenticating the mobile terminal (paragraphs 10, 78, figs. 9, 12).

Regarding claims 5, 10, Forslow further discloses a HLR for determining a terminal based on an IP address and the address of the GPRS (paragraphs 10-11, 13, 50-51, 75, 79, 99, 101-105).

Regarding claims 6, 11, Forslow further discloses a handover of the mobile terminal between base stations (paragraph 9).

Regarding claim 9, Forslow further discloses gateway functionality for routing the packet information to other networks (abstract, paragraphs 8, 12, 28-29, 50, 60, 63, 76, 65, 101, 106).

Regarding claim 15, Forslow further discloses the device used in a WLAN and GSM (paragraphs 43, 48, 83, 107).

Regarding claim 19, Forslow further discloses a software layer to an IP stack (figs. 3, 6, 9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237) in view of Forslow (6,937,566).

Regarding claims 4, 13, Forslow fails to disclose broadcast message.

Forslow (566) discloses the same type of invention, in which broadcast messages are used to seek an IP serving GPRS support node in the IP network in order to establish a tunnel (column 9 lines 34-45, column 10 lines 1-3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Forslow -566 in order to reach a plurality of mobile stations with one message which is potentially save time as well to free up the channel bandwidth.

5. Claims 7, 12, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237) in view of Maclean (2002/0101859).

Regarding claims 7, 12, 17, Forslow fails to teach the encryption.

Maclean discloses encrypting a packet in a GPRS system with an IPSse (paragraphs 37, 51). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Maclean in order to only allow an authenticated user to open the packet.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237) in view of Widegren et al. (2002/0036983).

Regarding claim 16, Forslow discloses the mobile station located by an IP address, which means the mobile station including a conversion for converting the IP address. However, Forslow does not specifically disclose Ipv4, Ipv6.

Widegren discloses a packet switching having versions Ipv4, Ipv6 (paragraph 149). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Widegren in order to correctly allow the routing of the packet.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

Art Unit: 2618

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (571) 272-7899.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

600 Dulany, Alexandria, VA 22314

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Hand-delivered response should be brought to Customer Service Window located at the Randolph Building, 401 Dulany, Alexandria, VA, 22314.

Simon Nguyen

May 1, 2007



**SIMON NGUYEN
PRIMARY EXAMINER**